

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

JANICE A. JONES,

Plaintiff

VS.

Case No. 2:08-cv-02082-KOB

CHRISTOPHER HUTCHINSON,
et al.,

Defendants

ORDER

On September 23, 2011, the magistrate judge's report and recommendation was entered and the parties were allowed fourteen days in which to file objections to the recommendations made by the magistrate judge (doc. 48). On October 7, 2011, plaintiff filed objections to the magistrate judge's report and recommendation (dic, 49).

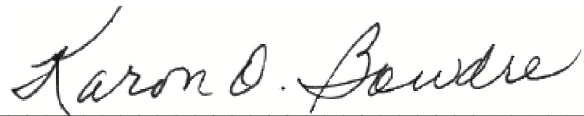
Defendant Hutchinson filed his “Response to Plaintiff’s Objection to Report and Recommendation” (doc. 51) that is, in essence, his own objection in which he “moves” for entry of summary judgment in his favor. After careful consideration of the record in this case, the magistrate judge’s report and recommendation, the parties’ objections and relevant law, the court hereby ADOPTS the report of the magistrate

judge. The court further ACCEPTS the recommendations of the magistrate judge.

Therefore, the court

ORDERS that defendants' Motion for Summary Judgment is due to be and hereby is GRANTED with respect to all claims asserted by plaintiff against the City of Birmingham, and such claims hereby are DISMISSED WITH PREJUDICE. The court further ORDERS that defendants' Motion for Summary Judgment is due to be and hereby is DENIED regarding plaintiff's claims for violation of 42 U.S.C. § 1983 (Fourth and Fourteenth Amendment) and state law claims for false arrest, false imprisonment and assault and battery against defendant Christopher Hutchinson in his individual capacity, because of the existence of genuine disputes of material fact.

DONE this 15th day of November, 2011.

A handwritten signature in cursive script, reading "Karon O. Bowdre".

KARON OWEN BOWDRE
UNITED STATES DISTRICT JUDGE